

AUTHORIZED AND APPROVED DATE

3/8/22

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Western District of Oklahoma

FILED

MAR 08 2022

United States of America

v.

Mark Wesley Rogers

Case No. M-22-173-P

CARMELITA NEEDEN GRINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY *[Signature]*, DEPUTY*Defendant(s)*

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 28, 2022 in the county of Oklahoma in the
Western District of Oklahoma, the defendant(s) violated:*Code Section**Offense Description*

21 U.S.C. § 841(a)(1)

Possession with intent to distribute 100 grams or more of a mixture
or substance containing a detectable amount of heroin, a
Schedule I controlled substance

This criminal complaint is based on these facts:

See attached Affidavit of Special Agent, D. Hunter Marsh, Federal Bureau of Investigation, (FBI),
which is incorporated and made a part hereof by reference.☒ Continued on the attached sheet.*[Signature]**Complainant's signature*

Special Agent D. Hunter Marsh (FBI)

Printed name and title

Sworn to before me and signed in my presence.

Date:

3/8/2022City and state: Oklahoma City, Oklahoma*[Signature]**Judge's signature*

Gary M. Purcell, U.S. Magistrate Judge

Printed name and title

illegal drugs are imported, distributed, and sold, as well as the methods used by drug dealers to disguise the source and nature of their profits.

3. This affidavit is submitted in support of a criminal complaint charging Mark Wesley **ROGERS** aka “Rattlesnake” (DOB: XX/XX/1976) with a violation of Title 21, United States Code, Section 841(a)(1). I am familiar with the facts and circumstances of the investigation into **ROGERS** as a result of my personal participation in the investigation, review of documents related to this investigation, communications with other individuals who have personal knowledge of the events and circumstances described herein, and information gained through training and experience. Since this Affidavit is being submitted for the limited purpose of seeking a complaint, I have not included every fact known to me concerning this investigation.

4. Based on the following facts, I believe that probable cause exists to show that **ROGERS** possessed with intent to distribute and to distribute 100 grams or more of a mixture or substance containing a detectable amount of heroin, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

FACTS AND CIRCUMSTANCES

5. In October 2021, FBI identified a potential residence that was maintained for the purpose of distributing narcotics. FBI identified the residence as 513 Beil Terrace, Oklahoma City, Oklahoma (the “Beil Residence”). In discussions with Oklahoma City Police Department (OCPD), it was determined that the Beil Residence had been identified in prior drug investigations by the OCPD over the last eighteen months. Based on this

information FBI agents initiated a prolonged surveillance of the Beil Residence in coordination with the DEA and Oklahoma City Police Department.

6. Over the course of the next couple of months law enforcement identified a number of persons visiting the Beil Residence, including individuals with historical or current drug trafficking charges and convictions. These individuals were observed at all hours of the day and several days per week. During the course of surveillance, it became clear that **ROGERS** was a frequent visitor at the Beil Residence.

7. On December 17, 2021, OCPD conducted a traffic stop on UAB member Joshua Arnett. While the traffic stop occurred, **ROGERS** was observed in a white Chevy Colorado conducting counter surveillance. Later, law enforcement found a video recording made and narrated by **ROGERS** of the traffic stop, which had been sent to other persons associated with the UAB.

8. On January 14, 2022, a search warrant was executed at the Beil Residence resulting in a seizure of methamphetamine, marijuana, two firearms, and more than \$40,000 in U.S. currency. After law enforcement departed the premises, surveillance was setup outside the neighborhood. Within five minutes of the departure of law enforcement vehicles, **ROGERS** was observed arriving to the residence and walking to the door to read a copy of the warrant.

9. On January 28, 2022, **ROGERS** was arrested by OCPD on state charges related to a drive-by shooting incident that occurred on January 25, 2022. Incident to this arrest, OCPD executed a consent search of a residence in Oklahoma City, Oklahoma, which had been occupied by **ROGERS**. During the course of the search warrant, officers

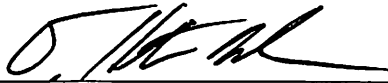
located approximately 257.6 grams of suspected heroin in a green string bag, among other controlled substances, and approximately \$36,288.50 in U.S. currency. The suspected heroin was field tested by OCPD, and it tested positive for heroin. Law enforcement also found a digital scale and a cellular phone, believed to be **ROGERS's**, in the residence.

10. Following the search of the residence, the owner was interviewed by OCPD with regards to the discovery of drugs in the master bedroom. The owner recalled seeing the green string bag that contained the heroin in the vehicle belonging to **ROGERS** when she was previously with him. Further, OCPD searched **ROGERS's** phone¹ pursuant to a state search warrant, and the phone contained a web history that included articles on heroin and how much heroin can kill a person. **ROGERS** confirmed in a post-*Miranda* interview with OCPD that he was a member of the Universal Aryan Brotherhood (UAB) and said that he had been a member since it started.

¹ I reviewed the phone extraction and confirmed that it was **ROGERS's** phone following the extraction based on messages, photographs, contact list, and other information on the phone.

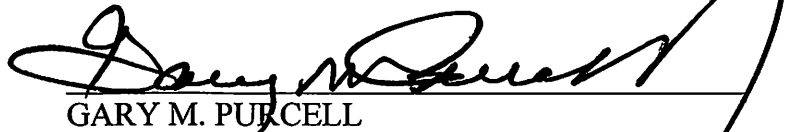
CONCLUSION

11. Based on the facts set forth in this affidavit and my training and experience, I believe there is probable cause to believe that **ROGERS** possessed with intent to distribute and to distribute 100 grams or more of a mixture or substance containing a detectable amount of heroin, in violation of Title 21, United States Code Section 841(a)(1).



D. Hunter Marsh
Special Agent
Federal Bureau of Investigation

Sworn to before me this 8th day of March 2022.



GARY M. PURCELL
United States Magistrate Judge